Among these binder resins, vinyl copolymer resin and/or polyester resin are preferred, and polyester resin can be employed particularly preferably because of its good balance between the fixing properties, anti-offset properties and transparency.

Replace the paragraph beginning at **page 17, line 17**, with the following rewritten paragraph:

Employing the above apparatus, the measurement is conducted under the following conditions.

(1) Preparation of suspension of toner particles

To 20 g of water, 0.1 g of a surfactant (L-CLEAR, manufactured by CHUGAI PHOTO CHEMICAL Co., Ltd.) was added and 0.04 g of the toner as the sample was added. Employing an ultrasonic dispersing machine, toner particles are suspended in water.

(2) Measuring conditions

Measuring temperature: 25°C

Measuring humidity: 60%

Number of toner particles measured: 5000±2000 particles

Replace the paragraph beginning at **page 26, line 3**, with the following rewritten paragraph:

In the present invention, a colorless charge control agent is preferably used. As the negative charge control agent, BONTORON E-84 (manufactured by Orient Chemical) as a metal complex

A3

compound of salicylic acid can be preferably used. As the colorless positive charge control agent, those having a quaternary ammonium salt structure, for example, TP-302, TP-415 and TP-610 (manufactured by Hodogaya Chemical Industries Co., Ltd.), BONTORON P-21 (manufactured by Orient Chemical), and COPY CHARGE PSY (manufactured by Clariant Japan) are preferably used. Examples of the positive charge control agent having quaternary ammonium groups and/or amino groups include "FCA-201-PS" (manufactured by Fujikura Chemicals Co., Ltd.).

Replace the paragraph beginning at **page 38, line 3**, with the following rewritten paragraph:

In the method of the present invention, high shear emulsification/dispersion apparatuses and continuous emulsification/dispersion apparatuses can be employed, such as a Homomixer (produced by Tokushu Kika Kogyo Co., Ltd.), a Slasher (produced by Mitsui Mining Co., Ltd.), a Cavitron (produced by Eurotec, Ltd.), a Microfluidizer (produced by Mizuho Kogyo Co., Ltd.), a Munton-Golin Homogenizer (produced by Golin Co.), a NANOMIZER (produced by Nanomizer Co., Ltd.), a Static Mixer (produced by Noritake Company) and the like.

A4

Replace the paragraph beginning at **page 46, line 15**, with the following rewritten paragraph:

Releasants shown in Table 2 are as follows.

A5

Synthetic ester: tetrabehenate ester of pentaerythritol

Carnauba wax: purified carnauba wax No. 1 (manufactured by CERA RICA NODA Limited, acid number: 5)

PP: "VISCOL 660P" (polypropylene wax produced by Sanyo Chemicals).

Replace the paragraph beginning at **page 47, line 9**, with the following rewritten paragraph:

Colorants shown in Table 3 are as follows.

C.I.PIGMENT RED 57:1; SYMULER BRILLIANT CARMIN 6B 285 (manufactured by Dainippon Ink and Chemicals, Inc.)

C.I.PIGMENT RED 122; FASTOGEN SUPER MAGENTA R (manufactured by Dainippon Ink and Chemicals, Inc.)

Replace the paragraph beginning at **page 54, the first line**, with the following rewritten paragraph:

(Fixation properties test)

With respect to the fixation temperature range, the fixation temperature was determined by the following fixation properties test and the range between the upper limit and the lower limit was taken as the fixation temperature range. Employing each of the powdered toners of the Examples and Comparative Examples, the respective test samples were made by forming an unfixed image on a paper by a transformed printer that employs a commercially available organic semiconductor as a photosensitive material, and then fixed by passing through a heat roller (oilless type) RICHO IMADIO DA-250 at a speed of 90 mm/second, and then a Cellophane tape was applied on the image after fixation. The surface temperature range of the heat roller when ID (image density) after peeling

A7

is 90% or more of the original ID and offset does not occur was defined as a "fixation temperature". The results are shown in Table 6.

Replace the paragraph beginning at **page 56, line 6**, with the following rewritten paragraph:

(Method of evaluating OHP sharpness)

A8

A non-fixed image due to a color toner was formed on an OHP sheet and the non-fixed image was fixed by a separately prepared fixing tester. The OHP sheet was fixed by passing through a heat roller (oilless type) RICHO IMADIO DA-250 at a heat roller temperature of 160°C at a speed of 90 mm/second. A black-printed OHP sheet was placed on the OHP sheet made in the above procedure and was projected on a screen by an overhead projector, and then the sharpness of letters was visually observed. The results were evaluated by the following criteria.

IN THE CLAIMS:

Please **CANCEL** claim **5** without prejudice or disclaimer.

Please **AMEND** claims **1, 6, 8, and 9** as follows:

A9

1. (Amended) A spherical dry color toner for electrostatic image development, comprising a binder resin and an organic pigment dispersed finely in the binder resin, wherein the organic pigment is an organic pigment represented by any one of formulas 3, 4 and 6-9: